

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:22-CV-331-FL

JONATHAN BERALL, M.D., M.P.H., )

Plaintiff, )

v. )

TELEFLEX MEDICAL INCORPORATED, )

Defendant. )

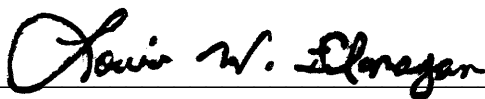
ORDER

This matter is before the court on the parties' joint motion to set upcoming deadlines in this case. After reviewing the parties' separate proposals, the court sets the following schedule in accordance with the Local Patent Rules. Any deadlines set in previous case management orders not altered herein remain in effect.

| Deadline   | Date   |
|--|--|
| Disclosure of Asserted Claims and Preliminary Infringement Contentions | June 27, 2023  |
| Disclosure of Preliminary Invalidity Contentions                       | August 11, 2023  |
| Close of Fact Discovery  | 60 days after entry of an order on claim construction  |
| Expert Reports On Issues On Which Each Party Bears Burden Of Proof     | 90 days after entry of an order on claim construction  |
| Expert Reports On Issues On Which Opposing Party Bears Burden Of Proof | 120 days after entry of an order on claim construction |

| Deadline  | Date  |
|---|---|
| Rebuttal Expert Witness Disclosures                 | 134 days after entry of an order on claim construction                      |
| Close of Expert Discovery                           | 164 days after entry of an order on claim construction                      |
| Dispositive and <u>Daubert</u> Motions <sup>1</sup> | 185 days after entry if an order on claim construction                      |
| Responses to Dispositive and <u>Daubert</u> Motions | 21 days after filing of dispositive and <u>Daubert</u> motions              |
| Replies to Dispositive and <i>Daubert</i> Motions   | 14 days after filing of responses to dispositive and <u>Daubert</u> motions |
| Agreed Pretrial Order                               | 7 days prior to final pretrial conference                                   |
| Final Pretrial Conference                           | To be set by subsequent order   |
| Trial   | To be set by subsequent order   |

SO ORDERED, this the 23rd day of June, 2023.



LOUISE W. FLANAGAN  
United States District Judge

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<sup>1</sup> Daubert motions\_ are defined as motions to exclude testimony of expert witnesses pursuant to Federal Rules of Evidence 702, 703, or 705, Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993), Kumho Tire Co. v. Carmichael, 526 U.S. 137 (1999), or similar case law.